

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
NEW ALBANY DIVISION

SUNNY DAWN COLWELL,)
Plaintiff,)
v.) No. 4:20-cv-00163-SEB-DML
ANDREW M. SAUL,)
Defendant.)

Report and Recommendation to
Dismiss Complaint with Prejudice

On July 27, 2020, plaintiff Sunny Dawn Colwell filed her complaint in this matter (Dkt. 1). On January 21, 2021, the court issued its Entry on Briefing Schedule (Dkt. 13) that required plaintiff to file within 56 days a brief in support of her complaint seeking judicial review of the denial of her application for disability benefits by the Commissioner of the Social Security Administration. Plaintiff has not filed a brief or requested an extension of the deadline.

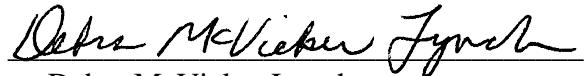
On April 2, 2021, the court issued an Order to Show Cause that required Ms. Colwell to show cause "in writing, no later than April 26, 2021, why her complaint should not be dismissed with prejudice because of her failure to comply with the court's January 21, 2021 order and her failure to prosecute her claims." (Dkt. 15). To date, Ms. Colwell has not responded to the order to show cause or requested additional time to do so.

Therefore, the magistrate judge recommends to the District Judge that the complaint be DISMISSED WITH PREJUDICE.

Any objections to the Magistrate Judge's Report and Recommendation must be filed in accordance with 28 U.S.C. § 636(b)(1) and Fed. R. Civ. P. 72(b). Failure to file objections within fourteen days after service will constitute a waiver of subsequent review absent a showing of good cause for such failure.

IT IS SO RECOMMENDED.

Date: 5/4/2021



Debra McVicker Lynch
United States Magistrate Judge
Southern District of Indiana

Distribution:

All ECF-registered counsel of record via email

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